

FILED

**COPY**

**No. 23-50175**

AUG 10 2023

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
DEPUTY CLERK

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

**United States of America,**  
Plaintiff-Appellee,

v.

**Jose Miguel Sandoval-Pineda,**  
Defendant-Appellant.

On Appeal from the United States District Court  
for the Western District of Texas

5:20-CR-601-1-YK

**Appellee's Unopposed Motion to View and Obtain Sealed Documents**

The government moves without opposition for leave to view and obtain all sealed documents in the record on appeal not filed *ex parte* on behalf of Defendant-Appellant Sandoval-Pineda. This appeal arises from Sandoval-Pineda's conviction and sentence for conspiring to transport illegal aliens in violation of 8 U.S.C. § 1324(a)(1)(a) and (v)(I); conspiring to commit money laundering in violation of 18 U.S.C. § 1956(h); conspiring to commit arson in violation of 18 U.S.C. § 844(n); and using fire or explosives to commit a felony in violation of 18 U.S.C. § 844(h) and (2). (ROA.133.) Portions of the electronic record on appeal are designated as sealed and have not been provided to the government. Sandoval-Pineda moved for and was granted leave to view and obtain these sealed portions of the record. Out of an abundance of caution, and to ensure complete review of the appellate record, the government seeks

leave to view and obtain all sealed documents not filed *ex parte* on behalf of Sandoval-Pineda.

**Certificate of Conference**

The U.S. Attorney's Office conferred with counsel for Sandoval-Pineda.

This motion is unopposed.

Respectfully submitted,

Jaime Esparza  
United States Attorney

By: /s/ Joseph H. Gay, Jr.  
Joseph H. Gay, Jr.  
Assistant United States Attorney

### **Certificate of Service**

I certify that on August 10, 2023, I filed this motion through this Court's electronic case-filing system, which will serve it on all registered counsel.

/s/ Joseph H. Gay, Jr.  
Joseph H. Gay, Jr.  
Assistant United States Attorney

\* \* \*

### **Certificate of Compliance**

I certify that

- (1) this document complies with the word limit of Federal Rule of Appellate Procedure 27(d)(2)(A) because, excluding the parts of the document exempted by Federal Rule of Appellate Procedure 32(f), this document contains 180 words; and
- (2) this document complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the type-style requirements of Federal Rule of Appellate Procedure 32(a)(6) because it was prepared in a proportionally spaced typeface using Microsoft Office Word 2016 in Calisto MT font, size 14.

/s/ Joseph H. Gay, Jr.  
Joseph H. Gay, Jr.  
Assistant United States Attorney

Dated: August 10, 2023